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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

29 VNUS MEDICAL TECHNOLOGIES, INC.,) CASE NO. C05-02972 MMC (JL)
30)
31 Plaintiff,) **ORDER GRANTING IN PART AND**
32) **DENYING IN PART JOINT MOTIONS**
33 v.) **FOR ADMINISTRATIVE RELIEF TO**
34) **FILE DOCUMENTS UNDER SEAL**
35 DIOMED HOLDINGS, INC., DIOMED)
36 INC., ANGIODYNAMICS, INC., and) [DOCKET NOS. 465, 473, 480]
37 VASCULAR SOLUTIONS, INC.,)
38 Defendants.)
39 _____)

40 After consideration of the Joint Stipulated Motions for Administrative Relief to File
41 Documents Under Seal, filed October 9, 2007 (D.I. 465, 473, 480), and the Declaration of Mark
42 Kertz Pursuant to Civil L.R. 79-5(d), filed October 11, 2007 in support of such motions, and
43 good cause appearing therefrom, the Joint Stipulated Motions are GRANTED with respect to the
44 unredacted versions of the following documents, each of which the Clerk is directed to file under
45 seal:

46 (1) Defendants' Joint Opposition to Plaintiff's Motion in Limine to Exclude Trial
47 Testimony of Ms. Stamm and Mr. Napper on Opinions Lacking an Adequate Factual Basis;

(2) Exhibit A to the Declaration of James F. DeDonato in Support of Defendants' Joint Opposition to Plaintiff's Motion In Limine to Exclude Expert Trial Testimony of Ms. Stamm and Mr. Napper;

(3) Exhibit B to the Declaration of James F. DeDonato in Support of Defendants' Joint Opposition to Plaintiff's Motion In Limine to Exclude Expert Trial Testimony of Ms. Stamm and Mr. Napper;

(4) Defendants' Opposition to VNUS's Motion in Limine to Exclude the Thesis of Dr. Bone-Salat, Evidence of Inventive Activity in Spain, and Communications About Such Activity; and

(5) Exhibit C to the Declaration of Charles Steenburg in Support of Defendants' Opposition to VNUS's Motion in Limine to Exclude the Thesis of Dr. Bone-Salat, Evidence of Inventive Activity in Spain, and Communications About Such Activity.

As to the following documents, in light of plaintiff's having withdrawn its prior designation of confidentiality, the motions are DENIED, and the Clerk is directed to file such documents in the public record:

(1) Exhibit C to the Declaration of James F. DeDonato in Support of Defendants' Joint Opposition to Plaintiff's Motion In Limine to Exclude Expert Trial Testimony of Ms. Stamm and Mr. Napper;

(2) Defendants' Joint Opposition to Plaintiff's Motion in Limine to Exclude Expert Trial Testimony of Drs. R. Rox Anderson, Irving J. Bigio, J. Kevin McGraw and Cynthia K. Shortell on Non-Enablement;

(3) Exhibit A to the Declaration of Richard J. Twilley, Esq., in Support of Defendants' Joint Opposition to Plaintiff's Motion in Limine to Exclude Trial;

(4) Exhibit B to the Declaration of Richard J. Twilley, Esq., in Support of Defendants' Joint Opposition to Plaintiff's Motion in Limine to Exclude Trial;

(5) Exhibit C to the Declaration of Richard J. Twilley, Esq., in Support of Defendants' Joint Opposition to Plaintiff's Motion in Limine to Exclude Trial;

1 (6) Exhibit D to the Declaration of Richard J. Twilley, Esq., in Support of Defendants'
2 Joint Opposition to Plaintiff's Motion in Limine to Exclude Trial; and

3 (7) Exhibit E to the Declaration of Richard J. Twilley, Esq., in Support of Defendants'
4 Joint Opposition to Plaintiff's Motion in Limine to Exclude Trial.

5 IT IS SO ORDERED

6 Dated: October 23, 2007


Hon. Maxine M. Chesney
Judge, United States District Court

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